

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

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Aegean Bunkering (USA) LLC,

Plaintiff,

v.

M/T AMAZON (IMO 9476654), its  
engines, tackle and apparel, *et al.*,

Defendants and Garnishee.

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14 CV 9447(KBF)  
ECF Case

**MOTION FOR  
SUMMARY JUDGMENT**

Plaintiff / Interpleader-Defendant Aegean Bunkering (USA) LLC (“Aegean”) moves, pursuant to Fed. R. Civ. P. 56, for summary judgment. As the accompanying Memorandum of Law confirms, affidavit of Emmanouil Chochlakis, and Local Rule 56.1 Statement of Material Facts confirm, the material facts are not in dispute and judgment in favor of Aegean is proper as a matter of law and equity.

For the reasons set forth therein, the Court should now grant summary judgment in favor of Aegean and order payment to Aegean from the Court’s Registry at least as follows:

\$981,708.20 for the principal amount due, plus \$20,088.69 in contractual costs, plus maritime prejudgment interest of \$242.07 per day calculated at 9% per annum from December 2, 2014 through the date of judgment, and if determined against Bergen, in the alternative, prejudgment

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interest as determined at Aegean's 2% contractual rate.

Dated: March 4, 2016.

Respectfully Submitted,

/s/ J. Stephen Simms

J. Stephen Simms

John T. Ward

Marios J. Monopolis

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Counsel for Aegean

**CERTIFICATE OF SERVICE**

I certify that on March 4, 2016 a copy of the foregoing was served upon counsel of record by operation of the ECF system.

/s/ J. Stephen Simms